

CHILD CARE LICENSING ADVISORY COMMITTEE MINUTES

12 March 2009

Cannon Health Building 228 North 14-60 West Room 114

Salt Lake City, Utah

Members Present: Dale Smith, David Rothschild, Diane Wilkinson, Michael Libeck, Carol Thompson

Members Excused: George Garff, Susan Williams-Ashby, Wendy Hobson-Rohrer

Members Absent: Christiana Peterson, Carol Ann Holcombe, Jodie Jensen

Bureau Staff Present: Marc Babitz, Teresa Whiting, Jessica Strout, Donna Thomas, Lynda Worthington, Joyce Hastings, Karrie Phillips, Joan Isom, Sherri Lizotte, Colleen Murphy, Sheila Oelerich

1. REVIEW AND APPROVAL OF MINUTES

There was not a quorum of committee members present at the meeting, so there was no review of minutes.

2. OLD BUSINESS

Update on proposed revisions to Background Screening Rules

Ms. Whiting reported that the new background screening rules are now in effect. With the change, individuals convicted of a Misdemeanor A crime that would have passed a background screening if they had been classified as a Misdemeanor B or C, and the conviction was more than 10 years ago, and the individual has had no other convictions in those 10 years, will now pass a background screening.

Update on Rule Interpretation Manuals

Ms. Oelerich reported the following updates to the family rules interpretation manual:

- Gravel used as cushioning for the outdoor play area must meet ASTM requirements, which means it must be round and small or medium sized (½ inch or smaller in diameter).
- Tobacco is not allowed in vehicles used to transport child care children while the children are in care.
- Licensing Specialists will be reviewing no more than 10 children's records.

There were no updates to the center rules interpretation manual.

Update on revisions to Center Rules

Ms. Whiting reported that the revised center rules have been filed. The public comment period for these rules is March 15, 2009 through April 14, 2009. The Bureau is mailing post cards to all center providers with information about how to access the proposed rules and how to make comments.

Second draft of Out of School Time Rules

There were no comments from the board members.

Ms. Knueman, After School Specialist from Workforce Services, had the following comments:

- A four-foot fence without gaps in the fence may be a problem for programs that run out of borrowed spaces in public schools and churches.
 - Mr. Rothschild was concerned about children leaving the premises if there were no fences around the outdoor play areas.
 - Ms. Knueman felt such issues could be dealt with using the supervision rule.
 - Ms. Wilkinson felt the rules about fences and gaps in fences is not necessary for programs for school-aged children.
- For programs operating less than full-time, it is not practical to require the director to be on-site for at least 20 hours a week.
- Staff children should count in caregiver to child ratios.
 - Ms. Whiting explained that statute dictates that staff children age 4 and older cannot count in caregiver to child ratios.
- Portable space heaters should be allowed in programs for school-aged children.
- The language “individual serving size items such as crackers” should be taken out of the rule about serving food on dishes or napkins.
- If a child has a food allergy, staff in the program should provide an alternative snack.
- It is difficult to clean toys weekly.
 - Dr. Babitz stated that weekly cleaning is very important since children carry viruses on their hands. These viruses are not visible and may still live on toys that don’t look dirty.

Ms. Silver, from Salt Lake Community Action Program, had the following comments:

- The rule for director qualifications should have the words “childhood development” changed to “child development.”
- The rule with the words “English literacy skills” should be changed to “English communication skills” because literacy applies only to reading and writing and not to oral communication skills.
- Any time a rule says “a” parent should be changed to “the” parent. This could make a difference with divorce and custody issues.

Mr. Libecky again commented that he is against the possibility of firearms and ammunition being on the child care premises as one instance of noncompliance could kill a child. Ms. Whiting explained that the Bureau cannot write a rule that is stricter than law. Ms. Silver said this is a legislative issue and those with concerns should contact their legislator to get the law changed.

Mr. Smith received clarification from Ms. Whiting that Licensing Specialists assess the presence and location of firearms and ammunition during inspections.

Legislative Budget Update

Ms. Whiting reported that the Bureau needs to cut \$108,700 (about 8%) from the FY 2010 budget. She extended a big thank you to Dr. Babitz for working with legislators not to pass the original proposed \$351,000 budget cut. Dr. Babitz explained to legislators that, although there has been a 2/3 reduction in the number of RC providers, the Bureau is responding to a recent legislative audit by hiring trainers and raising quality of the inspection process.

This budget cut resulted in one Licensing Specialist being let go and one office position moving from full-time to half-time.

3. NEW BUSINESS

Public Salt Lake Tribune Website

Ms. Whiting showed the Tribune's website which lists child care providers and links to their findings. She said that many states have an on-line record of findings for child care providers. She said that child care providers have resisted having their findings made public because it looks like exempt providers have no findings.

Ms. Whiting said that the Tribune will continue to have these findings available to the public through GRAMA requests which the Bureau must honor. These requests take a lot of time for Bureau staff to complete.

Ms. Whiting proposed that the Bureau's new database make findings available to the public. The Bureau can respond to the Tribune's GRAMA request by providing them with the Bureau's URL address.

Ms. McMurrin from Ogden Head Start and Mr. Dieringer from Bennion Learning Center suggested that providers contact the Tribune and request a disclaimer that they are only listing regulated providers.

Mr. Smith wanted to contact the Tribune and request they highlight the date the provider corrected findings.

Ms. Whiting told Mr. Rothschild she is hoping the new database will be functional by June 30th. Mr. Rothschild hoped that is before the next GRAMA request by the Tribune.

Voluntary Quality Rated/Starred Licenses

Ms. Whiting went over the information on the proposed quality rated license, modeled on a program used in Oregon. She said it is a voluntary program and awards quality ratings for the

prior licensing year of providers. There are quality indicators for those providers who go above and beyond licensing requirements. She proposed that the Bureau adopt a similar program. There would be no cost to the Bureau as the quality indicators are those that are already part of the inspection process or could be verified by the submission of paperwork. Providers would be able to choose from several indicators and all indicators are research-based.

Mr. Smith asked if the review of paperwork would be a work load issue for staff. Ms. Whiting thought that present caseloads would allow this paperwork review.

Mr. Smith asked if there would be separate categories of indicators for center providers and home providers. Ms. Whiting said there would be and pointed out the change in the proposed indicator for ratios for home providers.

Mr. Smith asked if the program would be available for license-exempt providers. Ms. Whiting said providers would need a license or certificate to participate in the program.

Mr. Smith asked if it would be helpful to add the quality indicators to the new database. Ms. Whiting said the star rating would be added to the provider's record, and would be available to the public.

Mr. Smith asked about using accreditation as an indicator. Ms. Whiting answered that Oregon uses accreditation as one possible additional criteria a program could choose to meet, and Utah could do this as well.

Mr. Smith suggested putting this topic on the agenda for the next meeting so all members have a chance to read the materials that were handed out. There was no quorum for an official vote, but a straw vote of those present indicated they want to pursue a star rating system.

Committee Members

Mr. Smith stated that there has not been a quorum of committee members present for the last three or four meetings. He wanted present members to become pro-active in soliciting new members who will take attendance seriously. He said any member with three unexcused absences can be replaced. He asked if the Bureau can send information to facilities asking for new members. With a straw vote recommendation from the present members of the committee, Ms. Whiting said the Bureau will communicate the need for members and a new chair of the advisory committee.

4. PUBLIC COMMENTS

Ms. Rasmussen suggested moving the meeting time to the evening if getting parent attendance is the problem. Ms. Whiting responded that this is not the problem.

Ms. Silver suggested the option of having member(s) teleconference into meetings. Ms. Lizotte said there were no requests from members to teleconference into the meeting.

Mr. Libeck and Mr. Smith discussed several network options, including SkyMall, that may make attendance easier.

Mr. Ed Dieringer, a center owner, volunteered to be on the committee.

The meeting ended at 11:00 am.